

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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UNITED STATES )  
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 )  
v. ) No. 17-cr-10376-FDS  
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 )  
YANNICK MINANG )  
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\_\_\_\_\_ )

**DEFENDANT'S MOTION TO SUPPRESS EVIDENCE**

Defendant Yannick Minang, by and through undersigned counsel, hereby respectfully requests that this Honorable Court enter an order suppressing all statements and physical evidence derived from the search of his apartment at 800 West Street, Unit 1417, in Braintree, Massachusetts on September 29, 2017. As set forth more fully in the enclosed Memorandum of Law, the warrant authorizing the search was unsupported by probable cause in that it failed to establish a nexus between the defendant's residence and the crime(s) under investigation.<sup>1</sup> The warrant was also overbroad because the affidavit in support thereof, which only described the defendant's alleged *offline* banking activities, failed to establish an adequate nexus to the defendant's electronic devices. Nor did it allege the "pervasive scheme of fraud" required to justify an all-records search of his

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<sup>1</sup> The affidavit also contains a material misstatement of fact, the truth of which the affiant recklessly disregarded, which goes to the heart of probable cause as it relates to nexus. Accordingly, the defendant submits he is also entitled to a hearing pursuant to *Franks v. Delaware*, 438 U.S. 154, 155-56 (1978) to test the veracity of the warrant's representations.

computer, phone, and other electronic media. *United States v. Brien*, 617 F.2d 299, 309 (1st Cir. 1980).

In conducting the search pursuant to an invalid warrant, the agents violated Minang's rights under the Fourth Amendment to the United States Constitution. All evidentiary fruits of the search including physical evidence and statements should be suppressed as fruit of the poisonous tree. *Wong Sun v. United States*, 371 U.S. 471, 487-488 (1963).

**WHEREFORE**, the defendant respectfully requests that his Motion To Suppress be granted. In the alternative, the defendant requests a hearing on this issue pursuant to *Franks v. Delaware, supra*.

Dated: May 30, 2018

Respectfully submitted,  
YANNICK MINANG  
By and through his attorney,

/s/ R. Bradford Bailey  
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**Certificate of Service**

I, R. Bradford Bailey, hereby certify that on this the 30th day of May, 2018, I caused a true copy of the foregoing *Defendant's Motion to Suppress Evidence* to be served upon all necessary parties to this matter by virtue of electronically filing the same via the CM/ECF system.

/s/ R. Bradford Bailey  
R. Bradford Bailey